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June 13, 2011

VIA ECF

The Honorable Magistrate Judge James Orenstein
225 Cadman Plaza East
Room 456 North
Brooklyn, NY 11201

Re: In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig.,
Case No. 1:05-MD-1720-(JG)(JO)

Dear Judge Orenstein:

I write on behalf of all parties regarding the logistical aspects of filing dispositive and *Daubert* motions on June 30, 2011.

The parties anticipate that the June 30 filings will be quite voluminous (potentially 20-30 banker's boxes of single-sided paper). In this case, sealed filings such as these have typically been made in paper form. Given the volume of these filings, however, the parties respectfully request that the Court allow the parties to file electronic versions of their sealed motion papers and supporting documents on CD, in lieu of filing in paper form. If the Court prefers that the parties file their motion papers and supporting documents in paper form, then the parties respectfully request that the Court accept double-sided copies of motion papers and supporting documents.

In accordance with your Honor's Individual Practice Rules, the parties plan to submit courtesy copies of their motion papers and supporting documents in electronic, "linked" form, such that the Court may click on an evidentiary or case citation to view the supporting material. The parties have agreed to exchange linked copies of their own briefs and Rule 56.1 statements, and propose that each party provide the Court

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with three linked copies of each brief and Rule 56.1 statement relating to its motions no later than July 19, 2011.

The parties have also reached agreement on a schedule for filing public versions of dispositive and *Daubert* motions and supporting materials, and respectfully move the Court for an order establishing the following: On July 7, 2011, the parties shall file public versions of dispositive-motion and *Daubert* memoranda of law; and on August 15, 2011 the parties shall file public versions of Rule 56.1 statements of fact, and all supporting documents and affidavits.

Finally, the parties are discussing potential page limits for reply memoranda of law on dispositive and *Daubert* motions and anticipate submitting a proposal to the Court within the next week.

The parties thank the Court in advance for its guidance on these matters.

Sincerely,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

s/ Ryan W. Marth

Ryan W. Marth

RWM/rjr

cc: All Counsel of Record via ECF